

REGULAR MEETING - MANSFIELD TOWN COUNCIL
July 26, 2010

Mayor Elizabeth Paterson called the regular meeting of the Mansfield Town Council to order at 7:30 p.m. in the Council Chambers of the Audrey P. Beck Building.

I. ROLL CALL

Present: Haddad, Keane, Kochenburger, Lindsey, Paterson, Paulhus, Ryan, Schaefer
Excused: Moran

APPROVAL OF MINUTES

Mr. Paulhus moved and Mr. Ryan seconded to approve the minutes of the July 12, 2010 meeting as presented. Motion passed unanimously. Mr. Paulhus moved and Mr. Schaefer seconded to approve the minutes of the July 15, 2010 Special meeting as presented. Motion passed unanimously.

II. PUBLIC HEARING

1. Ordinance Regarding the Procedure for Administration and Fiduciary Oversight of Town Finances

Town Attorney Dennis O'Brien presented an overview of the ordinance and provided his explanation regarding the changes to Section 303a of the Charter. Attorney O'Brien discussed the role and obligations of a fiduciary noting that the Town Manager is the natural position to act on behalf of the citizens with the final authority resting with the Council.

Mike Sikoski, Wildwood Road, suggested the Council talk to members of the last Charter Revision Commission to get a feel for the intent of the language.

III. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Joanne Roberts, Chaffeeville Road, gave the Council permission to discuss the letter she sent to Council members in executive session.

Sharry Goldman, Brown Road, expressed her disappointment in the progress of the assisted living facility and presented a number of questions she wishes the Council would ask. (Statement attached)

Marilyn Gerling, Sycamore Drive, offered to assist to make the assisted living facility a reality and spoke in support of the endeavor.

Matt Proser, Sycamore Drive, spoke in support of the previous remarks and commented that a number of his friends are leaving town because they can no longer live on their own. He encouraged the Town to further investigate the options.

Bev Korba, Sycamore Drive, commented that she lived her whole life in Mansfield, moved away, and has now returned and does not want to leave. She is in favor of an assisted living facility in Town.

Ron Baker, Storrs Road and Pastor of the First Baptist Church, commented on the revisions to the Ordinance Establishing a Fee Schedule for Fire Prevention Services

and asked the Council to consider an exemption for churches and businesses more than 200 years old. Pastor Baker thanked the Council for their work.

Ida Millman, Sycamore Drive, commented that for many, her self included, the absence of an assisted living facility may be a problem in the future. Ms. Millman also applauded the changes made to the Senior Social Workers position.

Cynara Stites, Hanks Hill Road, commented on the definition of a "landlord" in Town Ordinances and on the Parking Ordinance regarding the prohibition of backing cars out of driveways. (Statement attached)

Betty Wassmundt, Old Turnpike Road, submitted copies of two emails recently sent to members of the Council.

Mr. Haddad moved and Mr. Kochenburger seconded to move Item 6, Proclamation in Recognition of Mansfield Resident State Trooper's Office, as the next item of business. Motion passed unanimously.

Mr. Haddad moved and Kochenburger seconded to add Item 5a, Discussion of the Ethics Board and a Vote of Confidence for the Ethics Board, to the agenda. Motion passed unanimously.

IV. REPORT OF TOWN MANAGER

Report attached

The Town Manager announced that at the request of the Regionalization Committee he is in the process of executing a contract for a public safety study which will look at existing and future police services and demands.

Mayor Paterson added to the Manager's remarks regarding their visit to Bergin Correctional Institution commenting on the technical training and GED opportunities available. Ms. Keane, co-chair of the Windham County Reentry Council reported that Bergin CI is the number one school for GED completions in the state.

V. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mayor Paterson reported the Farmer's Market has been in operation for 16 years and this year has 25 vendors all from within a 50 mile radius of the Town.

Mr. Ryan requested an update on the Assisted Living Project at a future meeting.

VI. OLD BUSINESS

2. Ordinance Regarding the Procedure for Administration and Fiduciary Oversight of Town Finances

Council members discussed the proposed ordinance including the intent of the Charter Revision Commission, the legal meaning of the term fiduciary, the need for the ordinance, the Council's responsibility to oversee the budget and the performance of the Town Manager, and the fiduciary's legal responsibility to account for the funds of the Town.

Mr. Ryan moved and Mr. Schaefer seconded to suspend Rule 6 d. of the Town Council Rules of Procedures allowing a vote on the proposed ordinance.

Motion passed with all in favor except Ms. Keane and Ms. Lindsey who were opposed. Mr. Ryan moved and Mr. Kochenburger seconded to pass the Ordinance Regarding the Procedure for Administration and Fiduciary Oversight of Town Finances as presented.

Motion passed with all in favor except Ms. Keane and Ms. Lindsey who were in opposition.

3. Community/Campus Relations

Town Manager Matt Hart reported on the meeting with Interim UConn President Phil Austin and Chief of Staff Ron Schurin during which they discussed the importance of the University appointing members who are able to speak for the University to Town advisory boards and the importance of the appointment of community members to the Spring Weekend Task Force. The Manager also reported that the Town and University will begin their pre-semester visits to rental units welcoming the tenants and discussing how to be good citizens.

Mr. Kochenburger asked for a review of the legal responsibilities of landlords. He will provide the wording of his request to the Town Manager.

4. Community Water and Wastewater Issues

The full Willimantic River Study is available on line at:

[http://www.facilities.uconn.edu/Willimantic River Study Final Report.pdf](http://www.facilities.uconn.edu/Willimantic%20River%20Study%20Final%20Report.pdf)

5. School Building Project

By consensus the Council decided to schedule workshops beginning at 5:30 p.m. prior to the second Town Council meeting of each month to discuss the School Building Project. The goal is to arrive at a decision by late February. The School Building Committee and Board of Education will be asked their opinions on not doing anything for awhile.

5a. Ethics Board Discussion and Vote of Confidence for the Ethics Board

By consensus the Council decided to table this discussion until the next meeting and to include information on the Town Council's powers and process if a board is to be disbanded.

VII. NEW BUSINESS

6. Proclamation in Recognition of Mansfield Resident State Trooper's Office

Mr. Haddad moved and Mr. Paulhus seconded, effective July 26, 2010, to authorize the Mayor to issue the attached Proclamation in Recognition of Mansfield Resident State Trooper's Office.

Motion passed unanimously.

Mayor Paterson read the proclamation and thanked the state troopers and police officers of the Mansfield Resident State Troopers Office for their efforts for the Town. Town Manager and Director of Public Safety Matt Hart commended the officers' efforts and noted the good working relationship that has been established.

7. Memorandum of Agreement, Tolland-Mansfield Probate District

Mr. Schaefer moved and Mr. Paulhus seconded, effective to authorize the Town Manager to execute the Memorandum of Agreement regarding the Tolland-Mansfield Probate District, for an initial term to commence on January 5, 2011 and to expire on January 5, 2015, which term may be extended for another period of four years at each such fourth anniversary in accordance with paragraph 6 of the agreement. Motion passed unanimously.

VIII. DEPARTMENTAL AND COMMITTEE REPORTS

No comments

IX. REPORTS OF COUNCIL COMMITTEES

Ms. Keane reported the Ordinance Development and Review Subcommittee is still reviewing the Revisions to the Ordinance Establishing a Fee Schedule for Fire Prevention Services and will report at the next meeting.

Mr. Haddad presented the recommendations of the Personnel Committee on revisions to the Town Council Rules of Procedures. Ms. Lindsey requested Items 1 thru 3 be addressed individually.

Mr. Haddad recommended Rule 4B be changed to read, "Public comment at public hearings is limited to five minutes per speaker unless otherwise modified by the Council at the beginning of the hearing."

Motion to approve the recommendation passed unanimously.

Mr. Haddad recommended Rule 3 be changed to add the Pledge of Allegiance to the agenda for Council member swearing in ceremonies, one meeting in February for Presidents Day, one meeting in May for Memorial Day, one meeting in July for Independence Day and one meeting in November for Veteran's Day.

Mr. Kochenburger moved and Mr. Schaefer seconded to table discussion on the recommendation. Motion passed with all in favor except Ms. Keane, Ms. Lindsey and Mr. Paulhus.

Mr. Haddad recommended Rule 3b. be changed by eliminating the second opportunity for public comments in the standing agenda for the Council.

Motion passed with all in favor except Ms. Keane, Ms. Lindsey and Mr. Paulhus who voted against the motion.

Mr. Haddad also presented two suggested general recommendations to the Council agenda including alternating the water/wastewater and community/campus relations standing agenda items and that citizen who submit written comments at public hearings or opportunity for public comments be encouraged to summarize their comments and not read them verbatim.

Mr. Ryan, Chair of the Finance Committee, reported progress is being made on two bonding items. The bonding for miscellaneous equipment will seek approval via successive actions of the Town Meeting and Council. Bonding for open space will be on the November ballot.

Ms. Lindsey, reporting for the Committee on Committees, recommended the appointment of John Riesen to the Community Quality of Life Committee. Motion passed unanimously.

Ms. Lindsey and Mr. Ryan also reported the Committee on Committees has reviewed and recommend approval of changes to the Agricultural Committee charge. The item will be on the next agenda and will include both the old charge and the proposed charge. (Proposed charge attached).

X. PETITIONS, REQUEST AND COMMUNICATIONS

8. Hart re: Thank you
9. M. Hart re: Appointment to Mansfield Conservation Commission
10. District Meeting - Public Hearing - Regional School District Number 19
11. PZC Proposed Regulation revisions regarding Political Signs
12. Special Town Meeting - July 12, 2010 - Minutes
13. U.S Census Bureau re: Thank you
14. Chronicle "Parking restrictions reasonable, defensible" - 07-07-10
15. Chronicle "Letters to the Editor" - 07-09-10
16. Chronicle "Letters to the Editor" - 07-10-10
17. Chronicle "Showdown pits landlords against parking ordinance" - 07-10-10
18. Chronicle "Storrs center plan to get \$4.9M boost" - 07-10-10
19. Chronicle "Letter to the Editor" - 07-12-10
20. Chronicle "Editorial: Emergency response is town responsibility" - 07-13-10
21. Chronicle "Three local towns to benefit from energy funding" - 07-13-10
22. Chronicle "Officials: Storrs center project will happen" - 07-13-10
23. Chronicle "Voters give parking plan the green light" - 07-13-10
24. Chronicle "Letter to the Editor" - 07-16-10
25. Chronicle "Tour de Mansfield Saturday" - 07-16-10
26. Chronicle "Ethics board is criticized in Mansfield" - 07-19-10
27. Chronicle "Seeing Mansfield by bike" - 07-19-10
28. Chronicle "Mansfield OKs new political sign rules" - 07-20-10

XI. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Mike Sikoski, Wildwood Road, expressed his displeasure at the Council's decision to eliminate the second opportunity for public comment at Council meetings and their decision to approve the ordinance regarding fiduciary oversight.

David Freudmann, Eastwood Road, commented he was sorry to see the second opportunity for public comment be eliminated and questioned what earlier speakers wanted the Council to do about the assisted living facility as it is a private business. Mr. Freudmann stated his objections to the Storrs Center Project.

XII. FUTURE AGENDAS

The following items will be on future agendas: assisted living project, changes to the charge of the Agricultural Committee and discussion of the Ethics Board and Ethics Board vote of confidence.

XIII. ADJOURNMENT

Mr. Paulhus moved and Mr. Schaefer seconded to adjourn the meeting.

Motion passed unanimously.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk